IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

CRP.No. 66 of 2006()

Original Petition(EA).160/2001 of ADDL. DISTRICT COURT, THODUPUZHA

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REVN. PETITIONER: RESPONDENT

KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY ITS SECRETARY, K.S.E.BOARD,
THIRUVANANTHAPURAM.

BY ADV. SRI.C.K.KARUNAKARAN, SC FOR KSEB

RESPONDENTS: PETITIONER

A.I.ABRAHAM, ATTAPATTU HOUSE,
KUDAYATHOOR KARA, VELIYAMATTOM VILLAGE,
THODUPUZHA TALUK, IDUKKI DISTRICT.

BY ADV. SRI.K.K.CHANDRAN PILLAI
SRI.S.K.MOHAMED SAJEER

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 14/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.P.BALACHANDRAN, J.

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C.M.Appl.No.71 of 2006 &
C.R.P.NO.66 OF 2006

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Dated this the 14th day of March 2007

ORDER

C.M.Appl.No.71 of 2006

This is an application seeking for condonation of delay of 378 days in filing the revision. The impugned order was passed on 24.7.2004. Copy application was made, after a month, on 23.8.2004. Copy was delivered on 30.9.2004. These are matters evidenced from the copy of impugned order produced before this court. The explanation for the delay offered in the affidavit, filed by the Assistant Executive Engineer of the petitioner, K.S.E.B., is as follows:

> " The counsel appearing for the Board in the court below sent the certified copy along with his opinion to file revision petition against the above order to the Board. The Board accorded sanction for filing CRP, and the same was received in this office. Thereafter, the file was handed over to the Standing Counsel for filing CRP. Immediately on receipt of the same, the Standing Counsel prepared the Civil Revision Petition and filed it before this Honourable Court. Hence, some delay has been occurred in filing the above."

It is seen from the explanation so offered that the counsel for the petitioner/Board forwarded the copy to the Board in time along with his opinion to file revision. Thereafter, the Board accorded sanction and through the Standing Counsel this CRP was filed on 12.12.2005. As to how it took more than an year and two months to undergo the procedure of according sanction and causing revision to be filed through the Standing Counsel is not explained at all except that some delay has been caused and that was not intentional or wilful. This is not reasonable and proper explanation to have the delay of as many as 378 days condoned. In the result, I dismiss the C.M. Application.

C.R.P.NO.66 OF 2006

C.M. Application 71/06 seeking for condonation of delay of 378 days in filing the revision is dismissed. Consequently, this revision, filed much beyond time, is not maintainable and is dismissed.

K.P.BALACHANDRAN, JUDGE

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